



YAVAPAI COUNTY SHERIFF'S OFFICE

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Sheriff

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The Honorable Reed E. Hundt
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

RE: Billed Party Preference; CC Docket No. 92-77

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Dear Mr. Hundt;

In a recent document which was received regarding billed party preference, many issues arise concerning the impact and restrictions which penal institutions and detention facilities will be facing should this become effective.

The only information which can be definite is how the passage of this proposal will effect the operation of the Yavapai County Sheriff's Office Detention Services Division. If the billed party preference (BBP) is adopted, many inmate services, programs and federally mandated requirements will diminish, placing Yavapai County in the situation where funding for these programs will be borne by the community. This does not even consider the possibility of going back to the archaic way of having to physically move inmates to a telephone, have an Officer stand by and monitor the inmate while the call is being made, the liability of privacy while conferring with legal representation and the strain this would place on staffing levels.

Yavapai County takes pride in the overall operation and services which are provided to both the community and the inmate through its Detention Services Division. Current inmate programs include G.E.D., Literacy Programs, an in-house library, a staff position which coordinates these programs of which all are being funded by the Inmate Welfare Fund. The allowable usage from the Inmate Welfare Fund is limited to only those programs or tangible items which are directly related to the welfare and benefit of the inmate. This fund cannot supplant necessities which must be provided by law. Control of this fund is the sole responsibility of the Sheriff, or his designee, not the Board of Supervisors, as these parameters set forth in Arizona State Statute. Passage of the BBP will have a direct negative effect on these programs as the majority of revenue deposited into this fund is generated through the inmate telecommunication system currently installed at both of Yavapai County's detention facilities.

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A new contract has been submitted for approval which will raise our current commission and make available to us, a data-based tracking system by which administrative control can be instituted on our inmate population. During the course of renewing this contract with AT&T and US West, many other vendors have approached our county to sign with them. Careful consideration was given to all aspects of what each company would provide. Many of these vendors were offering "free video imaging" and one even considered remodeling an entire booking area within one facility if we would sign with them. What promulgated the decision to stay with our current vendor was this. These items may be free to us, however, the value of this equipment needs to be offset somewhere. If one is doing business, one cannot afford to "give" these items away, therefore the cost must be absorbed by the consumer. This only serves to bring a negative air to law enforcement, specific to detention, and takes away any positive effect we are providing by oath and commitment.

On the issue of administrative control, let me take this opportunity to present an actual example of what a lack of control can mean. Just this year two of our inmates, co-defendants in a homicide trial, were able to talk to each other by the use of call forward/conference calling ability. One was male and one female, both incarcerated in the same facility. To stop this required staff to monitor the time when each could use the phone, at different intervals, and because of gender, required two Officers to accomplish this task. In addition, these two inmates were housed for over thirty months before sentencing. This was both a cost deficient and time consuming problem. With the availability of a vendor to provide administrative controls over the communication system, just the entry in a call management system could have dealt with this entire situation. If BBP is accepted by the Commission, it would be fair to say that this simple solution to an ongoing and ever-increasing problem may become non-existent.

Because of the issues enumerated above, Yavapai County must support the National Sheriff's Association with the decision that passage of the BBP will not only hinder our current operation, but cause digression in a detention environment which has taken many years to advance to the level of efficiency achieved.

Sincerely,



G.C. "Buck" Buchanan
Yavapai County Sheriff

GCB:lp